

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**CURTIS W. CUSTER,**

**Petitioner,**

**v.**

**MARVIN VAUGHN, Warden,**

**Respondent.**

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**Case No. 07-CV-243-JHP-KEW**

**ORDER AFFIRMING AND ADOPTING THE REPORT AND  
RECOMMENDATION OF THE UNITED STATES  
MAGISTRATE JUDGE**

On August 25, 2010, the United States Magistrate Judge entered her Report and Recommendation in regard to Petitioner's Petition for Writ of Habeas Corpus [Docket No. 1]. The Magistrate Judge recommended the petition be dismissed. The Petitioner has filed no objections to the Magistrate Judge's Report and Recommendation within the time prescribed by law. 28 U.S.C. §636(b)(1), Fed. R. Civ. P. 72(a).

This Court finds that the Report and Recommendation of the Magistrate Judge is supported by the record. Therefore, upon full consideration of the entire record and the issues presented herein, this Court finds and orders that the Report and Recommendation entered by the United States Magistrate Judge on August 25, 2010, be **AFFIRMED** and **ADOPTED** by this Court as its Findings and Order. Petitioner's Petition for Writ of Habeas Corpus is therefore, **DISMISSED**.

**IT IS SO ORDERED this 21<sup>st</sup> day of September, 2010.**

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma